



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/009,083	01/20/98	ANDERSON	Y0997-451

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EXAMINER

BACKER, F

ART UNIT	PAPER NUMBER
2155	15

DATE MAILED: 07/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Notification of Non-Compliance
With 37 CFR 1.192(c)**

Application No.

09/009,083

Examiner

Firmin Backer

Applicant(s)

ANDERSON ET AL.

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on May 24th, 2001 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☒ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

Applicant argues that the second amendment filed on October 16th, 2000, which was not entered and denied by an advisory action, is substantially identical to a previous amendment filed. Applicant asserts that the amendment only narrowed the issue by canceling claim 7 and 15 and incorporate those limitations in the independent claims. Examiner respectfully disagrees with application's assertion. Upon a careful review of the original limitation in the application, examiner discovers that the canceled claims limitation are not identical to the limitation added to the independent claims. For instance original claim limitation of 15 disclose "means for updating and maintaining lead data from external sources and means for managing said lead data, said managing means comprising a lead usage mechanism for controlling a lead quantity, a lead usage time interval and a lead availability to a selected user." in amending claim 14 the added limitation reads means for updating and maintaining lead data from external sources and means for managing said lead data, said managing means comprising a lead usage quota mechanism for controlling a lead quantity, a lead usage time interval and a lead availability to a selected user." It appears that the expression "QUOTA" was included in the original claim 15 therefore, this amended limitation further limit the claim and change the scope of the inventive concept.


AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER